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ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

Report of the First Committee

Rapporteur: Mr. Miloš KOTEREC (Slovakia)

I. INTRODUCTION

1. The item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" was included in the provisional agenda of the fifty-second session of the General Assembly in accordance with Assembly resolution 51/41 of 10 December 1996.

2. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 9 October 1997, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 62 to 82, which was held at the 3rd to 12th meetings, from 13 to 17 and from 20 to 24 October (see A/C.1/52/PV.3-12). Structured discussions of specific subjects on the adopted thematic approach were held at six informal meetings, from 27 to 31 October. Draft resolutions on the items were considered at the 15th to 17th meetings, from 5 to 7 November (see A/C.1/52/PV.15-17); action was taken on them at the 18th to 24th meetings, from 10 to 14 and on 17 November (see A/C.1/52/PV.18-24).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General (A/52/271);

(b) Letter dated 1 October 1997 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General, transmitting

the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries to the fifty-second session of the General Assembly, held in New York on 25 September 1997 (A/52/447-S/1997/775).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/52/L.4

5. At the 17th meeting, on 7 November, the representative of Egypt introduced a draft resolution entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (A/C.1/52/L.4).

6. At the same meeting, the representative of Israel introduced an amendment (A/C.1/52/L.46) to the draft resolution by which the words "to actively pursue" were replaced with the words "to pursue" in operative paragraph 10.

7. Also at the same meeting, the representative of Israel introduced a further amendment (A/C.1/52/L.49) to the draft resolution by which operative paragraph 4, which had read:

> "4. Notes the importance of the ongoing bilateral Middle East peace negotiations and the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;"

was replaced with:

> "4. Notes the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone".

8. At the 18th meeting, on 10 November, the representative of Egypt orally revised the draft resolution as follows:

(a) In operative paragraph 3, the words "adopted on 3 September 1997" were replaced with the words "adopted on 3 October 1997";

(b) In operative paragraph 4, the words "the multilateral Working Group on Arms Control and Regional Security" were replaced with the words "the activities of the multilateral Working Group on Arms Control and Regional Security";

(c) In operative paragraph 10, the word "actively" was deleted.

9. At the same meeting, the representative of Israel withdrew the amendments contained in documents A/C.1/52/L.46 and A/C.1/52/L.49.

10. At its 18th meeting, on 10 November, the First Committee adopted draft resolution A/C.1/52/L.4, as orally revised (see para. 11).

III. RECOMMENDATION OF THE FIRST COMMITTEE

11. The First Committee recommends to the General Assembly the adoption of the following draft resolution.

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995 and 51/41 of 10 December 1996 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,[1]

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

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[1] Resolution S/10-2.

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of General Assembly resolution 51/41,[2]

1. Urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[3]

2. Calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. Takes note of resolution GC(41)RES/25, adopted on 3 October 1997 by the General Conference of the International Atomic Energy Agency at its forty-first regular session, concerning the application of Agency safeguards in the Middle East;

4. Notes the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

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[2] A/52/271.

[3] United Nations, Treaty Series, vol. 729, No. 10485.

5. Invites all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly,[1] and to deposit those declarations with the Security Council;

6. Also invites those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. Takes note of the report of the Secretary-General;[2]

9. Invites all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. Requests the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report[4] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. Also requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

12. Decides to include in the provisional agenda of its fifty-third session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

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[4] A/45/435.